ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
ORGANIZACION MUNDIAL CONTRA LA TORTURA
WELTORGANISATION GEGEN DIE FOLTER

OMCT OMCT OMCT OMCT OMCT OMCT OMCT OMCT OMCT OMC

TL 6583

49th Session of the United Nations Commission on Human Rights

Geneva, 1 February 1993 - 12 March 1993

Intervention by the
World Organisation Against Torture (OMCT/SOS-Torture)
on Item 9 of the Agenda:

The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

The human rights situation in East Timor remains preoccupying. Since the invasion of East Timor by Indonesia in 1975, some 200,000 people - amounting to about a third of the population - have been killed and human rights violations have been systematically utilised in an effort to subjugate the population. Matters came to a head in November 1991 with the massacre in the Cemetery of Santa Cruz. Over a year after this incident the casualty figure has still not been definitively established though the latest toll puts the number of dead at 273, with 255 disappeared and 376 wounded, as compared to the official figure given by the authorities of 91. Most of those killed were children and teenagers and to date the only people punished for the massacre are those who took part in the demonstration.

Since the Dili massacre the situation remains tense and in the months leading up to the first anniversary of the massacre many arrests accompanied by torture have been reported. The meeting of the Non-Aligned Movement which took place in Jakarta in September 1992 led to increased security in East Timor and people attempting to travel from East Timor to Jakarta to attend the summit were prevented from doing so. Since the massacre the Indonesian army has deployed more troops in East Timor, particularly round those villages which suffered many casualties and it is reported that today the presence of the military is strongly felt. As in the case of Tibet, the transmigration of populations from other parts of the archipelago is being actively implemented. According to information brought to the attention of our organisation, during 1992 and 1993 the relocation of 425 families from parts of Java is planned and today it is estimated that there are some 100,000 Indonesians now settled in East Timor in an attempt to transform the demographic make-up of the island and make the annexation of East Timor irreversible.

The arrest on 20 November 1992 of Xanana Gusmao, the leader of FRETILIN, has aggravated the situation further and there is reason to believe that he may have been tortured in an attempt to make him capitulate to the Indonesian authorities. Furthermore, it is feared his detention and trial will be used as a pretext for increased repression in the area and that the situation will deteriorate further.

It becomes clear therefore, that the Resolution adopted by the 44th Session of the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities, on the situation in East Timor has not been respected. Mr. Chairman, in the light of this and the deteriorating human rights situation in East Timor, the World Organisation Against Torture calls on this Commission to urge the Indonesian authorities to respect that resolution and to put an end to human rights abuses in East Timor. The organisation further calls on the indonesia authorities to put an end to the use of torture and ill-treatment and to respect the right to self-

conditions in which people can express their will. ...The efforts which the United Nations is making to promote peace and social justice concern the whole of mankind"; but which application have his words in the cause of East Timor?
Indeed, to the extent that the actions of Indonesian forces reduce the options available to East Timor, the people lose the capacity to govern themselves.
Moreover, Timorese self-defense effort is used as a pretext for Indonesia to committ summary executions, arbitrary arrests, population transfers, briefly to develop a genocidal policy.

Mr. Chairman, the denial of the right of the people of East Timor to self-determination ~~and independence~~ is the main cause of every sort of gross violations of human rights and fundamental freedoms perpetrated against East Timorese and the negation of an acquired universal principle.

The National Council of Maubere Resisistance, a national non-partisan umbrella organization encompassing all East Timorese movements, parties and associations struggling for self-determination and independence of the occupied teritory of East Timor, through his Special Representative, Mr. José Ramos-Horta, has in many occasions repeated the willingness of East Timorese to engage themselves in a constructive process of dialogue without pre-conditions, under UN auspices to explore all possible ideas towards a solution.
However, this proposal has never been taken into a serious account by the Indonesian government. Proof of the Indonesian hard-line is the development of the "peace talks" held last 17 December at the UN Headquarter in New York between the Ministers of Foreign Affairs of Portugal (in his capacity of administering power) and Indonesia which did not bring to any solution in the way of peace. These first direct ministerial-level talks were decided "in the context of the search for a just, comprehensive and internationally acceptable solution to the question of East Timor", but not one single item such as NGO access to East Timor was accepted by the Indonesian side.

With these perspectives and an escalation of terror inside the country, the people of East Timor are confronted to live one of the worst period of their history since Indonesian invasion in 1975. And though East Timorese claim for their right to self-determination through constant requests of independence and pacific demonstrations in support of their demand, Indonesian military forces respond to this legitimate request with increasing forms of violence. Intimidations, torture, arbirary imprisonments are all words that cannot but rise a high number of human rights concerns in our spirits.

East Timorese are victims of all these intolerable abuses because they try to affirm a right belonging to every people and consequently belonging also to them: the right to self-determination. Mr. Chairman, the regime instaured in East

Timor creates a climate of fear among the population and its preservation leads to the repression of basic freedoms, such as the freedom of expression. Nevertheless, Indonesian authorities continue to affirm that East Timor is perfectly integrated with Indonesia and that there is no need to held a referendum in order to allow East Timorese to freely express their will on their own future; evidently, the Indonesian government considers that it is more in accordance with the respect of human rights thinking as the new army commander-in-chief in East Timor, General Theo Syafei who declared to the news agency Antara that one of the task of the governor of East Timor will be to "exterminate those who are two faced".

Contradicting the purposes of Mr. Abilio Osorio Soares, we are sure that the time will never come when the people of East Timor will be convinced that all this was an incident and it was quite understandable. But it must also be clear to the international human rights community that there cannot be peace without the victims being consulted on their future as they are the principle actors of the whole question.
The dramatic case of East Timor is here, in front of you and of your consciences: it needs an urgent solution as so many lives have already been destroyed and so many human beings abandoned to a generalized indifference.